

**REMARKS**

Claims 1-31 are pending in this application. By this Amendment, claims 1-31 are amended and claims 32 and 33 are cancelled.

Applicant appreciates the courtesies extended by Examiner Park and Examiner Coles to Applicant's representative during the August 25, 2005 personal interview. The personal interview is summarized below and thus constitutes Applicant's record of the interview.

Claims 1-33 were rejected under 35 U.S.C. §112, second paragraph. By this Amendment, claims 1-3, 12, 13, 22 and 31 have been amended to remove "independent" and replace "independently" with "separately" to clarify the claims. Claims 1-31 are now clear in view of the amendments. With regard to the specification, Applicant asserts that similar amendments are not necessary because the specification clearly describes the operating device (I/O monitor 15) as a separate processor with limited operating functions and limited power requirements. It is respectfully requested that the rejection be withdrawn.

Claims 1-31 were rejected under 35 U.S.C. §103(a) over Criss et al. (Criss), U.S. Patent No. 6,308,061 in view of Usui et al. (Usui), U.S. Patent No. 6,075,570 and claims 32 and 33 were rejected under 35 U.S.C. §103(a) over Criss in view of Usui and Kikinis et al. (Kikinis), U.S. Patent No. 5,920,727. The rejection of claims 1-31 (which now includes the features of claims 22 and 33) is respectfully traversed.

None of the applied references disclose or suggest a facsimile apparatus with a control device that controls an image reading unit and a printing unit, an operating device that works separately of the control device and a condition input device that inputs a recovery condition to the operational condition switching device, so as to switch the control device from the sleep condition to the active condition, at the predetermined adjustment time when the control device executes the adjustment or at a predetermined time before the predetermined

adjustment time, wherein the condition input device is a part of the operating device, as recited in claim 1 and as similarly recited in claim 12.

As discussed on page 1, line 26 to page 2, line 8 of Applicant's specification, a facsimile apparatus having a sleep function and clock adjustment function sometimes ends in a failure of the clock adjustment function due to the sleep function. As such, other functions that are specific to a facsimile apparatus may not be carried out properly. The features of claims 1 and 12 overcome this deficiency by inputting a recovery condition (from a condition input device that is a part of an operating device that works separately of the control device) in order to switch the control device from the sleep condition to the active condition. As such, a separate operating device can switch the control device to an active condition so that the control device can accurately control the image reading unit and the printing unit. None of the applied references disclose the problems associated with the facsimile machine as discussed on page 1, line 26 to page 2, line 8 of Applicant's specification or the solution provided by the features of Applicant's claims 1 and 12.

Criss discloses a wireless communication system that is configured to temporarily place a mobile device in a full operation mode until a process of determining and obtaining any upgrades is complete (Abstract). The mobile terminals 36 have pre-scheduled times at which each mobile terminal 36 inquires as to whether a software upgrade is needed. For example, the mobile terminal 36 may awake from a sleep mode during late evening or early morning hours to determine whether a software upgrade is needed (col. 23, lines 46-54 and Fig. 17).

Criss does not specifically disclose an element separate from the processor 40 in the mobile terminal 36 as causing the wake up. Rather, Criss discloses a system clock 500 that is a separate stand alone element or may be included as a part of the internal circuitry of the processor 40 along with the battery (col. 23, line 25 - col. 24, line 4). As such, the

processor 40 (which controls and operates the various components within the mobile terminal 36) awakes the mobile terminal 36 when in the sleep mode. Criss also discloses an internal date keeper 510 and a timekeeper 525 that may include features such as automatically adjusting for daylight savings time and/or leap year variations (col. 24, lines 8-22).

However, Criss fails to recognize the problems associated with a facsimile apparatus or a control device that controls an image reading unit and a printing unit that is placed in a sleep mode. Criss is only concerned with waking up the processor 40 in order to perform a software upgrade. Although Criss suggests that an automatic adjustment for daylight savings time should be performed (col. 24, lines 18-22), Criss fails to provide any disclosure with regard to waking up the processor 40 in order to make this adjustment.

Usui discloses an electronic program guide system, wherein a relay base station takes into account both time zones and daylight savings time to provide the appropriate EPG to subscriber homes based on a service area, postal codes or similar data. However, Usui fails to provide any disclosure with regard to waking a system to adjust time (col. 17, line 60 - col. 18, line 10). Although an integrator receiver/decoder (IRD) 4 has a sleep mode in which the CPU places as many circuits as possible in a minimum operative state and updates the present time using time information included in a received signal (col. 5, line 60 - col. 6, line 2), Usui fails to provide any disclosure with regard to awakening the system. Usui instead maintains the minimum operative state.

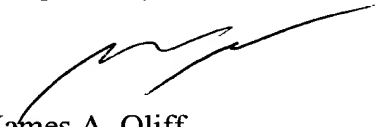
Kikinis discloses a timer controlled computer system that determines whether a system should be placed in a standby power mode or a full-power mode. Kikinis determines whether to place the system in a standby power mode or a full-power mode based on a user's working habits (col. 1, line 54 - col. 2, line 19). Although Kikinis mentions that their system can be placed in a facsimile apparatus (col. 3, lines 12-14), Kikinis fails to recognize the problems associated with a facsimile machine that is placed in a sleep mode.

None of the applied references discloses or suggests all of the features recited in claims 1 and 12, as well as the additional features recited in the dependent claims. It is respectfully requested that the rejection be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-31 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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JAO:SMS/sxb

Attachment:  
Petition for Extension of Time

Date: August 26, 2005

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